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9 Attorneys for Plaintiffs
10 CITY OF HUNTINGTON BEACH, HUNTINGTON
11 BEACH CITY COUNCIL, MAYOR TONY STRICKLAND
12 and MAYOR PRO TEM GRACEY VAN DER MARK

13 UNITED STATES DISTRICT COURT
14 CENTRAL DISTRICT OF CALIFORNIA

15 CITY OF HUNTINGTON BEACH, a
16 California Charter City, and Municipal
17 Corporation, the HUNTINGTON
18 BEACH CITY COUNCIL, MAYOR OF
19 HUNTINGTON BEACH, TONY
20 STRICKLAND, and
21 MAYOR PRO TEM OF HUNTINGTON
22 BEACH, GRACEY VAN DER MARK

23 Plaintiffs,

24 v.

25 GAVIN NEWSOM, in his official
26 capacity as Governor of the State of
27 California, and individually; GUSTAVO
28 VELASQUEZ in his official capacity as
Director of the State of California
Department of Housing and Community
Development, and individually; STATE
LEGISLATURE; STATE OF
CALIFORNIA DEPARTMENT OF
HOUSING AND COMMUNITY
DEVELOPMENT; SOUTHERN

CASE NO. 8:23-CV-00421-FWD-ADSx

**HAND-SIGNED SIGNATURE
PAGES FOR THE
DECLARATIONS OF
PLAINTIFFS MAYOR TONY
STRICKLAND (DOCKET NO. 50-
1) AND MAYOR PRO TEM
GRACEY VAN DER MARK
(DOCKET NO. 50-2)**

1 CALIFORNIA ASSOCIATION OF
2 GOVERNMENTS; and
3 DOES 1-50, inclusive,
4 Defendants.

5 Pursuant to Central District of California Local Rule 5-4.3.4(a)(3), Plaintiffs
6 hereby provide the attached hand-signed signature pages for the Declarations of
7 Plaintiffs Mayor Tony Strickland (Docket No. 50-1) and Mayor Pro Tem Gracey
8 Van Der Mark (Docket No. 50-2).

9
10 Dated: June 26, 2023 MICHAEL E. GATES, CITY ATTORNEY

11
12 By: /s/ MICHAEL E. GATES
13 MICHAEL E. GATES, CITY ATTORNEY
14 Attorney for Plaintiffs,
15 CITY OF HUNTINGTON BEACH,
16 HUNTINGTON BEACH CITY COUNCIL,
17 MAYOR TONY STRICKLAND and
18 MAYOR PRO TEM GRACEY VAN DER MARK
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1 9. I stated on the record that the March 21, 2023 City Council Meeting, as
2 well as the April 4, 2023 City Council Meeting that I could not in good conscience
3 support the SOC (Exhibit A) and the endorsement of the 13,368 high-density RHNA
4 Units in the City because it goes against everything I stand for. Since I could not
5 make accept the contents of the SOC, and I would not acknowledge that the 'the
6 benefits of the proposed 13,368 units of high-density RHNA housing outweighed
7 the significant and unavoidable impacts to the City's environment,' my fellow
8 Council Members and I could not certify the proposed Housing Element because
9 accepting and adopting the SOC is a prerequisite to certifying the Housing Element.

10 10. In direct response to not certifying the Housing Element because I
11 could not make the State-mandated findings required by the State's CEQA and the
12 State Housing and RHNA Laws, I am informed and believe the State is attempting
13 to amend its lawsuit on June 8, 2023 against the City in Case No. 30-2023-
14 01312235 to reflect the essence of the same legal challenges the City has already
15 presented to this Court by its March 9, 2023 lawsuit.

16
17 I declare under penalty of perjury under the laws of the United States and the
18 laws of the State of California that the foregoing is true and correct.

19 Executed this 2nd of June, at Huntington Beach, California.

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22 TONY STRICKLAND,
23 MAYOR OF HUNTINGTON BEACH
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(which is what CEQA requires, and the RHNA Laws require), the State is forcing my speech. Council Members, like myself, are being forced to agree that these mandates and mandated high-density housing projects are more important, or provide such a benefit to the City, than the known significant and unavoidable negative impacts to the City's environment.

16. I stated on the record that the March 21, 2023 City Council Meeting, as well as the April 4, 2023 City Council Meeting that I could not in good conscience support the SOC (Exhibit 10) and the endorsement of the 13,368 high-density RHNA Units in the City because it goes against everything I stand for. Since I could not make accept the contents of the SOC, and I would not say what I was *being required to say*, i.e., that the 'the benefits of the proposed 13,368 units of high-density RHNA housing outweigh the significant and unavoidable impacts to the City's environment,' my fellow Council Members and I could not certify the proposed Housing Element because accepting and adopting the SOC is a prerequisite to certifying the Housing Element. Being asked to say something I do not believe is essentially the State-law forcing or compelling my speech.

17. In direct response to not certifying the Housing Element because I could not make the State-mandated findings required by the State's CEQA and the State Housing and RHNA Laws, I am informed and believe the State is attempting to amend its lawsuit on June 8, 2023 against the City in Case No. 30-2023-01312235 to reflect the essence of the same legal challenges the City has already presented to this Court by its March 9, 2023 lawsuit.

I declare under penalty of perjury of the laws of the United States and the State of California that the foregoing is true and correct.

Executed this 2nd of June, at Huntington Beach, California.



GRACEY VAN DER MARK,
MAYOR PRO TEM OF HUNTINGTON BEACH